

Steven K Forjohn 03/14/2003 01:40:20 PM From DB/Inbox: Steven K Forjohn

Cable Text:

UNCLAS 141109Z MAR 03

CXRome:

ACTION: FMC ADM

INFO: SSO PM ODC GSO ECON DAO FODAG DCM AMB

CLAN02:

INFO: ODC

DISSEMINATION: ADM

CHARGE: SSO

APPROVED: SSO:PJBATTIN

DRAFTED: SSO:SKFORJOHN

CLEARED: NONE

VZCZCRMI145

RR RUFDNEA RUFFPAFW RUFEPSS RUFNSHH RUFRDFA RUEKJCS

RULSSBN RUEADWD RUEAHQA RUFGNOA RUFDAAA RHDLCNE RHFQAAA RUFGFMC

RUFFPAHQ RHRRQJQ RHDLCNR RUFNASC RUCBSDD RHDLPY

DE RUEHRO #3484/01 0731109

ZNR UUXX

R 141109Z MAR 03

FM USSO ROME IT

TO RUFDNEA/CDRUSASSETAF VICENZA IT//AESE-V/AESE-VK/AESE-VKV/AESE-

JA//

RUFFPAFW/31FW AVIANO AB IT//CC/MSG/JA/SF/MVRO//

RUFEPSS/NAS SIGONELLA IT//CO/N4/SJA/PM/MVRO//

RUFNSHH/NSA NAPLES IT//CO/N4/SJA/PM/CMVRO//

RUFRDFA/NSA LA MADDALENA IT//CO/N4/SJA/PM/MVRO//

INFO RUEKJCS/SECDEF WASHINGTON DC//GC/FMRA/ISA-EUR//

RULSSBN/NAVY JAG ALEXANDRIA VA//10/15//

RUEADWD/HQDA WASHDC//DAJA-IO//

RUEAHQA/HQ USAF WASHDC//JAI//

RUFGNOA/HQ USEUCOM VAIHINGEN GE//ECJA/ECPA//

RUFDAAA/CDR USAREUR HEIDELBERG GE//AEAJA-IL//

RHDLCNE/COMUSNAVEUR LONDON UK//013//

RHFQAAA/HQ USAF RAMSTEIN AB GE//JAI//

RUFGFMC/HQ MARFOREUR BOEBLINGEN GE//SJA//

RUFFPAHQ/16AF AVIANO AB IT//JA//

RHRRQJQ/COMSIXTHFLT //012//

RHDLCNR/COMNAVREG EUR LONDON UK//00/SJA//

RUFNASC/COMFAIRMED NAPLES IT//N00L//

RUCBSDD/TRISVCOFF EURSWA NAPLES IT//CO//

RHDLPY/NAVLEGSVCOFF EURSWA NAPLES IT//CO//

BT

UNCLAS SECTION 01 OF 02 ROME IT

SUBJECT: ITALY - PROOF OF INSURANCE COVERAGE ON PRIVATELY
OWNED VEHICLES REGISTERED IN THE ALLIED FORCES ITALY (AFI)
VEHICLE REGISTRATION SYSTEM (U)

REF A/DOC/USSO ROME IT MSG 311224Z AUG 99, SUBJ: ITALY -
TRANSITION FROM "GREEN CARD" INSURANCE (U)
REF B/DOC/USNAVEURINST 5840.2D/UR 550-32/USAFEI 36-101
REF C/DOC/NATO SOFA

1. This message reiterates Italian liability insurance requirements on privately-owned vehicles (POVs) and sets out steps commands should take to ensure POV insurance coverage is maintained for POVs registered in the "Allied Forces Italy" (AFI) vehicle registration system. This includes AFI POVs with Italian cover plates.
2. Ref A identified necessary measures to be taken by U.S. Forces in Italy to ensure compliance with the Italian law that mandated third-party liability insurance (TPLI) coverage for AFI POVs. Ref B's provisions on TPLI coverage are punitive. Unfortunately, some AFI POV owners do not maintain TPLI coverage.
3. The two key proof of automobile insurance documents in Italy are the "contrassegno" and the "certificato assicurativo." The contrassegno is a document that must be displayed in a vehicle's window or windshield. It identifies the insurance company that issued TPLI coverage for the POV, the policy number, and the inclusive dates of coverage. The certificato assicurativo is also proof of insurance and is carried inside the vehicle (generally inside a glove compartment). The certificato assicurativo is a receipt for payment of the TPLI insurance premium.
4. The Central Motor Vehicle Registration Office (CMVRO) in Naples and local MVROs at other installations verify TPLI coverage on AFI POVs at the time of initial registration and annually thereafter during vehicle registration renewals. Unfortunately, some DOD personnel fail to maintain valid TPLI coverage while operating their POVs in Italy. This occurs most frequently when drivers have valid TPLI coverage at the time of vehicle registration or re-registration but do not take the needed steps to extend or renew insurance in the interim. In other cases, DOD personnel obtain proof of insurance documents for a year by agreeing to pay annual premiums in installments, but then either stop making installment payments or cancel their TPLI coverage. While Italian law requires insurers to honor TPLI policies for the entire time proof of insurance documents are issued, some insurers still contest their obligations in cases where a POV owner has canceled coverage or allowed a policy to lapse through nonpayment. In these cases, the only effective way to hold the insurer to its legal obligations is with copies of the contrassegno or certificato assicurativo evidencing the insurer took on the responsibility of providing TPLI coverage through the time of an accident.

5. Failure by U.S. DOD personnel to carry valid TPLI coverage on their AFI POVs leaves potential Italian and U.S. victims without access to insurance compensation. Moreover, it also can shift financial responsibility to the U.S. Navy, as the service with DOD single-service claims responsibility for Italy, because the Navy then considers payment of ex-gratia claims filed by Italian victims under Art VIII, para 6 of Ref C. Additionally, and to potential detriment to our bilateral military relationship with Italy, the Italian Ministry of Defense (MOD) continues to be held liable - albeit improperly - by Italian courts for private vehicle accidents involving uninsured AFI POVs. As a result, the Italian MOD repeatedly has prompted the U.S. Sending State Office for Italy (USSSO) to make clear to U.S. Forces that they must take the required steps to ensure AFI POVs maintain TPLI coverage.

6. Based on the above, CO, NSA Naples, has directed the CMVRO in Naples to collect and retain photocopies of AFI POV contrassegno documents. AFI POV owners must provide the original of the contrassegno to the CMVRO at the time of vehicle registration and re-registration, as well as any time in between vehicle registrations when an insured receives a new contrassegno from his insurance company. Photocopies of these documents will be provided to USSSO for forwarding to the MOD in cases where claims have been filed with the MOD under Ref C. Given that the Italian statute of limitations in property damage cases is 2 years from the date of an accident and 5 years in most personnel injury cases, CO, NSA Naples also has directed the CMVRO to maintain copies of contrassegno documents for 5 years after the date an AFI POV owner departs Italy. Other installation MVROs should implement similar procedures as soon as possible.

7. The above steps, along with spot checks of insurance documents (e.g., checks made at installation entrance points and checks made in conjunction with command inspection programs), significantly should reduce the number of AFI POVs operating without TPLI coverage.

8. Refs A-C are available at USSSO's public web site: www.usembassy.it/ussso.

9. CO, NSA Naples, concurs in this message.

10. POC on this message at USSSO is MAJ Forjohn, DSN 625-3146, e-mail forjohns@state.gov. CAPT Battin, USSSO OIC, sends.

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End Cable Text